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SIPDIS

STATE FOR DRL/IL - PLEASE PASS TO DOL/ILAB BILL BRUMFIELD

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SUBJECT: LABOR-RELATED CHALLENGES AND INITIATIVES FOR TURKEY'S EU ACCESSION

REF: ANKARA 482

(U) Classified by Political Counselor John Kunstadter, E. O. 12958, reasons 1.4 (B) and (D).

(U) 1. Summary. Some Turkish labor leaders profess to see no challenges ahead for them in the EU accession process. However, other labor leaders, and some government officials identify protecting core labor rights, wage equality, parental leave issues, discrimination, worker representatives in the workplace and high unemployment as issues with which Turkey will have to cope. End summary.

No Real Problems for Labor

¶2. (U) Hak-Is Labor Union President Salim Uslu, who asserts he is a confidante of PM Erdogan, is upbeat about Turkey's prospects to join the EU and is determined to ensure that the members of his union benefit from Turkey's potential economic growth as a result of harmonization. Uslu asserts he does not envision problems or challenges for Turkish labor unions as the country prepares for commencement of the EU harmonization process in October 2005. Denying there are any problems for labor unions posed by the accession process, he volunteered that Hak-Is is offering vocational retraining programs to workers losing their jobs so they can become competitive in other, more technologically-oriented jobs. Uslu also anticipates the Ministry of National Education will approach Hak-Is with a proposal for an education program, but was unable to provide us with specifics.

¶3. (U) Long-time Turk-Is contact and current Yol-Is International Relations Officer, Yildirim Koc also does not see EU legislation as posing an obstacle for Turkish labor unions in the accession process. Referring to ILO core labor requirements, Koc observes that ILO conventions regarding issues such as the freedom of association are not a mandatory part of the acquis. Although Koc is generally critical of AKP initiatives or programs that envision cooperation with the West, he is optimistic regarding Turkey's readiness to join the EU and downplays any possibility of potential challenges or EU resistance to Turkish membership.

¶4. (U) AKP MP from Trabzon and Head of Parliament's Commission for Health, Family, Labor and Social Affairs Cevdet Erdol does not envision major problems with current Turkish legislation conforming to EU requirements, but suggests some minor amendments related to paternal leave and leave for adoptive parents might be pursued (reftel). Erdol also stated that Turkish and European social conditions are not similar and Turkey faces major problems stemming from unemployment, poverty and a high birth rate, social conditions which will take a long time to resolve.

Core Labor Rights Important

¶5. (U) In contrast to Koc and Uslu, Ankara DISK Labor Confederation representative Tayfun Gorgun is concerned that the GOT continues to abridge core labor rights such as interfering with freedom of association activities, among them the right to strike and collective bargaining. Gorgun asserted that he had advised then EU Commissioner for Enlargement Guenter Verheugen to protect the right of association, including the right to strike, and to collective bargaining, as important requirements for Turkey's EU accession preparations. DISK has asked EU representatives to monitor labor issues during the accession process, perhaps in the process making the sailing toward full EU membership a little less smooth than Uslu and Koc have described. Gorgon recalled an argument, which almost broke up the meeting, between the EU and Turk-Is, Hak-Is, and DISK when DISK demanded protection for labor union rights.

Unions Weak

16. (U) Public Workers Union Kamu-Sen head Bircan Akyildiz believes the Turkish public does not know very much about Turkey's EU accession process. He is concerned that Turks have "different characteristics" and may not be accepted by Europeans. Akyildiz states that Turkey will have to solve unemployment issues, improve investment opportunities, and resolve religious, cultural and social differences, all long-term problems that will require time to resolve prior to being accepted by the EU. Akyildiz's main worry is that civil servants will have less job security under EU membership. He believes Turkish unions are weak and cannot engage in collective bargaining, a core labor right taken for granted in the EU. Akyildiz doubts that Turkey will ever become a full EU member.

EU Requires Legislation

17. (U) Turkish MFA Secretariat General for EU Affairs Director for Sectoral and Regional Policies Nursen Numanoglu told us there are minor discrepancies regarding legislation between the EU and Turkish points of view. She asserts Turkish law already prohibits discrimination, although the EU is insisting on what she describes as "corrective redundancies" -- or legislation that specifically prohibits discrimination based on gender, sexual orientation and race. Numanoglu indicated her office intends to "negotiate" with EU representatives regarding unnecessary legislation. She stated the EU is also asking Turkey to enact legislation related to parental leave, particularly extending leave to fathers and permitting a longer period of maternity leave for mothers -- issues she does not view as problems and currently being considered by Parliament. Numanoglu sees a challenge stemming from protecting trade union rights for worker representation as well as a need to respond to an EU requirement to create worker representative positions in the workplace. She noted a specific EU fund exists to facilitate Turkish legislation to support line institutions such as the Ministry of Labor in the *acquis* process. The fund has allocated Euros 1,050 million for 2004 through 2006 for a variety of programs, including education, gender equality, combating social exclusion and religious discrimination.

Employer Confederation Sees No Serious Criticism

18. (U) Turkish Employer Confederation Secretary General Bulent Pirler advised us that Turkish government and NGO institutions are reviewing requirements related to gender, wages and religion. Like Numanoglu, he asserts Turkey has already implemented defacto non-discrimination practices, but that legislation needs to be enacted. Pirler mentioned thresholds for union representation in the workplace is an important issue and indicated TISK would be amenable to negotiating these figures. Pirler noted EU representatives wanted to assure protection for the right to strike and other civil struggles. However, along with other interlocutors, Pirler does not see these as serious criticisms. He observed that EU member states had not ratified the same provisions as were being required of Turkey, commenting, "Let them mind their own business first." Pirler does not see child labor as a problem for Turkey. In response to the challenge of EU membership, TISK is concentrating its efforts to secure increased advantages for its members and lobbying to have TISK participate in EU-Turkey discussions for all chapters, not just those relevant to labor.

GOT Responsible for Legislation

19. (U) Koc observed the GOT promised both the International Labor Organization (ILO) and the EU to resolve questions related to freedom of association by October 2005 and asserts there are no requirements for legislation or challenges mandated by EU accession chapters regarding wages, the right to strike or freedom of association. (Comment: This directly contradicts European Commission social policy sector manager Zeynep Aydemir's (reftel) concern regarding the protection of Turkish trade union rights. End comment.) Turk-Is International Relations Director Nevres Yuksel told us the GOT, rather than labor unions, had the responsibility for making sure labor legislation harmonized with EU requirements. Turkish financial newspaper Dunya correspondents Ilkay Yoruk and Zafer Sahin, like other interlocutors, also think that it is the GOT's responsibility to prepare Turkey for EU accession.
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